U.S. Department
of Transportation
**Research and
Special Programs
Administration**

400 Seventh St., S.W.
Washington, D.C. 20590

MAR 28 2003

DOT-E 11787
(SIXTH REVISION)

EXPIRATION DATE: February 28, 2005

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Bayer Corporation
Pittsburgh, PA

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of 2-chloroacrylonitrile (toxic liquid, flammable, organic, n.o.s), a Division 6.1 PIH Hazard Zone A material, in UN 6HA1 composite packagings which have not been hydrostatically tested to 550 kPa (80 psig) as required in 49 CFR § 173.226(b)(1). This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.

b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 172.301(c) in that marking the exemption number is waived; and § 173.226(b)(1) in that the authorized packaging was not hydrostatically tested to 550 kPa (80 psig).

5. BASIS: This exemption is based on the application of Bayer Corporation dated March 19, 2003, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi-fication Number	Packing Group
Toxic liquids, flammable, organic, n.o.s , inhalation hazard, Packing Group I, Zone A (2-chloroacrylonitrile)	6.1	UN2929	I

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed are UN 6HA1 composite packagings which conform with the requirements in § 173.226(b) except for the 550 kPa (80 psig) pressure test specified in § 173.226(b)(1). The UN 6HA1 composite packagings must be capable of withstanding a hydrostatic pressure of 300 kPa (43.6 psig).

b. OPERATIONAL CONTROLS -

(1) The UN 6HA1 composite packages must be shipped in freight containers as follows:

(i) The freight container walls will be lined to the height of the packaging with 3/4 inch plywood.

(ii) Suitable cushioning material will be used in void areas to prevent movement of the composite packages.

(2) Shipments must be from one origin to one destination only without any intermediate pickup or delivery.

(3) Carrier personnel must receive product specific training and be provided with emergency procedures to be implemented in the event of an incident/accident.

8. SPECIAL PROVISIONS:

MARKING - The freight container must be marked on two sides near the middle, in letters at least two inches high on a contrasting background, "DOT-E 11787". The marking requirements of § 172.301(c) are waived.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle and cargo vessel.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each cargo vessel or motor vehicle used to transport packages covered by this exemption.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

    - All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.

    - Registration required by § 107.601 et seq., when applicable.

    Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

    No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incident involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:

Ann Mazzullo

for Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

MAR 28 2003
(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590. Attention: DHM-31.

Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/exemptions Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: AM